

Freedom of Information Act.

5 USC - 552 and Administration Act 5
USC 701 et seq. for injunctive and other
appropriate relief and seeking the expedited
processing and release of agency records
requested by (plaintiff Thomas J. Savoca)
defendant United STATES ATTORNEY So. District
West Virginia (Charleston)

Request Interview of Traders BANK Employees
dated on July 26 2003, 1 page report taken by F.B.I
agent Jack Remaley.

Name of said security service for traders
BANK on or about July 26 2003, specific surveillance,
camera, (photo's),

Carlos Santos home address at time of
arrest given to United States Attorney Office and
F.B.I IN residing Cleveland Ohio

Plaintiff is requesting this evidence pursuant to Freedom
Information act 5 USC 522 Act 5 for defense in wrongful
Constitutional conviction

Under the penalty of perjury the forgoing request
is made by plaintiff.

Gy Rater

pro se. Thomas J. Savoca
x Thomas J. Savoca

EX5
Pg 1

Date Feb. 19, 2013

U.S. Department of Justice
Executive Office for United States Attorneys

Assistant Director,
Attn: Susan B. Gerson,

Request No. 2013-933

, and . 2013-934

Reply to above requests, enclose will be notification of signature, and true facts of items of request on evidence I was denied by both counsel

I did request through the U.S. Attorneys Office in Charleston, WV various types of information concerning Crim. Case 2:03-00194-1. I also filed motions for Discovery in the Federal Court in Charleston WV in or about 2010 with Brady Violation, Honorable Judge David Faber, Clerk of Courts sent a letter stating Judge is considering motions please be patient. It has been 3 years.

First I hope that you will allow me to obtain the following information I seek F.B.I Agent Jack Remaly report on a Bank Robbery in Ripley, WV on July 26 2003. Also security company's name and who was in charged of cameras and film on above date.

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Mr. Remaly was lead agent and interviewed the bank employees. The report is (1 or 2) pages. I never recieved any type of "Discovery" on my case. The lawyer that was appointed to my case (Roncaglione Esq.) by the Court Public Defender Office after Lawyer from the Public Defenders Office removed himself one (George Lancaster). Mr. Roncaglione filed moot motions on all discovery without my knowledge. Need also "Santos" statements.

I also requested for a copy of the search that took place in Cleveland, Ohio sometime between end of August to September 2003. At co-defendants residence one Carlos Santos. This will also include a inventory reciept from F.B.I office Cleveland, Ohio F.B.I. Agent Scott Wilson, report will state (2) mask and (1) shotgun. picture of the mask. Along with Jack Remaly (F.B.I) of Charleston, WV transported these mask down to Ripley, WV. and with the employees of "Trader Bank" re-enacted a Bank Robbery with Carlos Santos any my Lawyer George Lancaster who was appointed to me by the Public Defenders Office of Charleston, West Virginia. and recorded it on a home video camera and said

it was July 26, 2003 which the still pictures was taken from and used at my trial as live film, "I am not under any of those mask."

They or the above persons mentioned in this letter fabricated this evidence and used it against me at trial did so to deny me my due process rights.

The United States Attorney Susan Arnold is aware of this do to her job is to investigate she would of new that "NO FILM" was taken on July 26, 2003. Since I was arested shortly there after, I could of never brought those "Mask" to Cleveland, Ohio. My DNA was planted in those "Mask" by above Agents of the F.B.I along with DNA lab Charleston, West Virginia one Mr. Miller I believe.

United States Attorney Susan (Arnold) Robinson also misplaced a video of a accident used at my trial, it will show Attorney George Lancaster along with Carlos Santos exiting the Van in Ohio on a re enactment of my arrest on July 26 2003. at the end of the black and white Video it shows the true Color of the Van is "Blue" It is the same Van F.B.I in Cleveland, Ohio had in

Custody in June 2003. Agent Scott Wilson
They also won't produce this evidence do to
it will show Fabrication since my Van is desert
sand in color and not blue, refer to Ohio State
Highway Patrol (Starling vehicle). Sgt. Laver video
of Ohio Patrol is Fabricated mentioned above.

United States Attorney Susan Arnold Robinson
was aware of Carlos Santos acting as a Informant
in giving evidence to use at my trial, allowed
him to stand trial with me and continue to
give evidence to deny me a fair trial and
Appeal to the Court of Appeals for the 6th
Circuit, who Appointed me New counsel on
Barron Helgoe with the help of Carlos Santos
filed a Advers brief in his behalf as lead
counsel to deny me and constitutional
Violations on Appeal

Please do understand I've been in
transit I have no legal work of anything
I filed, I am having a hard time to obtain
my legal work and property. If you would
please help me to obtain my legal work so
I can continue to assist you anyway I
can to obtain my freedom from this
UNCONSTITUTIONAL CONVICTION

I'm asking you to place this under investigation and you will see the act of perjury and mockery of the Federal Court system both in Charleston, West Virginia in front of Honorable Judge David Faber and in Akron Ohio in front of Honorable Judge John Adams. by United States Attorney Gary Arbesnik, and people mentioned known and unknown.

Thank You! for your understanding in this matter

X Thomas J. Sawoca

CC

Date June 7 2013

under the laws of perjury to the best of my knowledge

Notary



U.S. Department of Justice

Washington, D.C. 20530

JUN 24 2013

Thomas J. Savoca
Reg. No. 20970-008
U.S.P. - Florence (High)
P.O. Box 7000
Florence, CO 81226

Re: Case No. 2:03-00194-1

Dear Mr. Savoca:

Your Freedom of Information Act and/or Privacy Act (FOIA/PA) request was received by this office which serves as the receipt and referral unit for FOIA/PA requests addressed to the Department of Justice (DOJ). Federal agencies are required to respond to a FOIA request within 20 business days. This period does not begin until the request is actually received by the component within the DOJ that maintains the records sought, or ten business days after the request is received in this office, whichever is earlier.

We have referred your request to the DOJ component(s) you have designated or, based on descriptive information you have provided, to the component(s) most likely to have the records. The component(s) to which your request has been forwarded are indicated on the enclosed FOIA/PA Referral/Action Slip. All future inquiries concerning the status of your request should be addressed to the component(s) which now has your letter for response. For your convenience, we have enclosed the List of Department of Justice Components, Functions and Records Maintained.

Your request also designated organizations outside of the Department of Justice as indicated below and will have to be resubmitted by you directly to them.*

Sincerely,

Randy Wilson, Assistant Director
Logistics Management Services
Facilities and Administrative Services Staff
Justice Management Division

Enclosure
FOIA/PA Referral/Action Slip

*Office of the Attorney General, Charleston, WV 25305-9924

*Office of the Attorney General, Columbus, OH 43215-3428

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U.S. Department of Justice
Justice Management Division

Freedom of Information Act/Privacy Act Referral/Action Slip

Clerk: M. Smith

Date:

Organization: JMD/FASS

JUN 24 2013

Building & Room: LOC, 113

To From

☐ ☐ Office of Information & Privacy

☐ ☐ Antitrust Division
☐ ☐ Bureau of Alcohol, Tobacco, Firearms
and Explosives
☐ ☐ Civil Division
☐ ☐ Civil Rights Division
☐ ☐ Community Relations Service
☐ ☐ Community Oriented Policing Services
☒ ☐ Criminal Division
☐ ☐ Dispute Resolution, Office of
☒ ☐ Drug Enforcement Administration
☐ ☐ Environment & Natural Resources Division
☐ ☐ Federal Bureau of Prisons
☒ ☐ Federal Bureau of Investigation
☐ ☐ Federal Detention Trustee, Office of
☐ ☐ Foreign Claims Settlement Commission

To From

☐ ☐ Immigration Review, Executive Office for
☐ ☐ Inspector General, Office of
☐ ☐ Intelligence Policy and Review, Office of
☐ ☐ INTERPOL, U.S. National Central Bureau
☐ ☐ Justice Management Division
Staff: _____
☐ ☐ Justice Programs, Office of
☐ ☐ Legal Counsel, Office of
☐ ☐ National Drug Intelligence Center
☐ ☐ Pardon Attorney, Office of
☐ ☐ Professional Responsibility Advisory Office
☐ ☐ Professional Responsibility, Office of
☐ ☐ Solicitor General, Office of
☐ ☐ Tax Division
☒ ☐ U.S. Attorneys, Executive Office for
☐ ☐ U.S. Marshals Service
☐ ☐ U.S. Parole Commission
☐ ☐ U.S. Trustees, Executive Office for
☐ ☐ _____

Requester: Thomas J. Savoca

Ref: Case No. 2:03-00194-1

Date of Request: June 7, 2013

Received By: FOIA/PA Mail Referral Unit Type of Request: FOIA/PA

Remarks: Requester advised of this referral.

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U.S. Department of Justice
Executive Office United States Attorney

Assistant Director
Att. Susan B. Gerson

Request NO. 2013 - 933
2013 - 934
Request 13 - 2350
13 - 2257

My Name is Thomas Savoca, I'm wrilling on how my case is progressing? I have some info that might help you, on this date Sept. 11, 2003 F.B.I Wilson from Cleveland, Ohio, Along with F.B.I Remally from Charleston, WV. came to So. Regional jail to collect my DNA, I believe it was that day they staged the Robbery to place there. with those MASK from Cleveland, So it might help you in a narrow widdow

Can you let me know if I will have to find a attorney or will you assist me once you find out I am telling the traeth.

Thank You
Thomas J. Savoca
Thomas J. Savoca

CC

Nov. 3, 2013

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Dear Sir,

Request 1234287-0

My request fall I believe with in the limits of my 6th admendment right I was indicted with Carlos Santos in Charleston, WV in 2003 Case No 2:03-194

I also went to trial with Carlos Santos this evidence you have was withheld from me.

I need what I requested to prove my constitutional violation. at my trial, and how the Bank Employees and the F.B.I fabricated evidence to use and convict me at trial

It falls under "Public Interest for Disclosure and under Brady v. Maryland (1963) Giglio & Brady This would prove my conviction is in Violation of the United States Constitution.

I also requested at that time other records you have, What is the progress on those reports.

Thank You
T. Thomas J. Savoca
Thomas S. Savoca

Nov. 5 2013

C/c
EO USA. Dept. Just.
File

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U.S. Department of Justice

Office of Information Policy

Telephone: (202) 514-3642

Washington, D.C. 20530

December 11, 2013

Mr. Thomas Savoca
Register No. 20970-008
United States Penitentiary
P.O. Box 7000
Florence, CO 81226-7000

Re: Request No. 1234287

Dear Mr. Savoca:

This is to advise you that your administrative appeal from the action of the Federal Bureau of Investigation was received by this Office on December 4, 2013.

The Office of Information Policy has the responsibility of adjudicating such appeals. In an attempt to afford each appellant equal and impartial treatment, we have adopted a general practice of assigning appeals in the approximate order of receipt. Your appeal has been assigned number **AP-2014-00808**. Please mention this number in any future correspondence to this Office regarding this matter. Please note that if you provide an e-mail address or another electronic means of communication with your appeal, this Office may respond to your appeal electronically even if you submitted your appeal to this Office via regular U.S. mail.

We will notify you of the decision on your appeal as soon as we can. If you have any questions about the status of your appeal, you may contact me at the number above. If you have submitted your appeal through this Office's online electronic appeal portal, you may also obtain an update on the status of your appeal by logging into your portal account.

Sincerely,

A handwritten signature in black ink, appearing to read "Priscilla Jones".

Priscilla Jones
Supervisory Administrative Specialist

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U.S. Department of Justice



Federal Bureau of Investigation
Washington, D.C. 20535

JULY 22, 2013

MR. THOMAS JAMES SAVOCA
**20970-008
UNITED STATES PENITENTIARY
POST OFFICE BOX 7000
FLORENCE, CO 81226-7000

FOIPA Request No.: 1220739-000
Subject: SAVOCA, THOMAS JAMES (BANK
ROBBERY JULY 26, 2013)

Dear Mr. Savoca:

This acknowledges receipt of your Freedom of Information Privacy Acts (FOIPA) request to the FBI.

- ☒ Your request has been received at FBI Headquarters for processing.
- ☐ Your request has been received at the [_____] Resident Agency / [_____] Field Office] and forwarded to FBI Headquarters for processing.
- ☒ We are searching the indices to our Central Records System for the information responsive to this request. We will inform you of the results in future correspondence.
- ☐ Your request for a fee waiver is being considered and you will be advised of the decision at a later date.
- ☒ Please check for the status of your FOIPA request at www.fbi.gov/foia.

The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request. Your patience is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hardy", is written over the typed name.

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

A handwritten mark in black ink, resembling a stylized 'X' or 'E', is located at the bottom center of the page.

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Federal Bureau of Investigation
Washington, D.C. 20535

October 29, 2013

MR. THOMAS JAMES SAVOCA
20970-008
UNITED STATES PENITENTIARY
POST OFFICE BOX 7000
FLORENCE, CO 81266-7000

FOIPA Request No.: 1234287-0
Subject: SANTOS, CARLOS

Dear Mr. Savoca:

This acknowledges receipt of your Freedom of Information Act (FOIA) request to the FBI. The FOIPA number listed above has been assigned to your request.

You have requested records concerning one or more third party individuals. Because you have requested information about a third party and the FBI recognizes an important privacy interest in that information, to help us process your request we ask that you provide one of the following: (1) an authorization and consent from the individual(s) (i.e., express authorization and consent of the third party); (2) proof of death (i.e., proof that your subject is deceased); or (3) a justification that the public interest in disclosure outweighs personal privacy (i.e., a clear demonstration that the public interest in disclosure outweighs personal privacy interests). In the absence of such information, the FBI can neither confirm nor deny the existence of any records responsive to your request, which, if they were to exist, would be exempt from disclosure pursuant to FOIA Exemptions (b)(6) and (b)(7)(C), 5 U.S.C. §§ 552 (b)(6) and (b)(7)(C).

Express authorization and consent. If you seek disclosure of any existing records on this basis, enclosed is a Certification of Identity form. You may make additional copies of this form if you are requesting information on more than one individual. The subject of your request should complete this form and then sign it. Alternatively, the subject may prepare a document containing the required descriptive data and have it notarized. The original certification of identity or notarized authorization with the descriptive information must contain a legible, original signature before FBI can conduct an accurate search of our records.

Proof of death. If you seek disclosure of any existing records on this basis, proof of death can be a copy of a death certificate, Social Security Death Index, obituary, or another recognized reference source. Death is presumed if the birth date of the subject is more than 100 years ago.

Public Interest Disclosure. If you seek disclosure of any existing records on this basis, you must demonstrate that the public interest in disclosure outweighs personal privacy interests. In this regard, you must show that the public interest sought is a significant one, and that the requested information is likely to advance that interest.

Fax your request to the Work Process Unit at (540) 868-4997, or mail to 170 Marcel Drive, Winchester, VA 22602. If we do not receive a response from you within 30 days from the date of this letter, your request will be closed. You must include the FOIPA request number with any communication regarding this matter.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c). As such, this response is limited to those records, if any exist, that are subject to the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <http://www.justice.gov/oip/efoia-portal.html>. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number in any correspondence to us for proper identification of your request.

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Enclosed for your information is a copy of the FBI Fact Sheet and a copy of the Explanation of Exemptions.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hardy", with a stylized flourish at the end.

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

EX 5
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U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

Mr. Thomas Savoca
Register No. 20970-008
United States Penitentiary
Post Office Box 7000
Florence CO 81226

AUG 14 2013

Re: CRM-201300636P
KWC:CPS

Dear Mr. Savoca:

The Criminal Division of the U.S. Department of Justice acknowledges receipt of your Freedom of Information Act/Privacy Act request dated June 7, 2013. This Office has construed your request as one for access to your federal prosecution file. Because your request was not specifically addressed to the Criminal Division, your letter was initially sent to the Mail Referral Unit of the Justice Management Division for routing and was not received by this Office until June 24, 2013. Your request has been assigned file number CRM-201300636P. You should refer to this number in any future correspondence with this Office.

As you were prosecuted by a United States Attorney's Office, this Office determined that your request for records concerning your prosecution was misdirected to the Criminal Division. The Executive Office for United States Attorneys is the U.S. Department of Justice component responsible for responding to Freedom of Information Act and Privacy Act requests for information maintained by U.S. Attorneys' Offices. Although it is typically the practice of this Office to route misdirected requests to the proper component, I note that the Mail Referral Unit also routed this request to EOUSA.

As the proper component is in receipt of your request, there is no further action for this Office to take on your request, and I am administratively closing your request file in this Office.

Sincerely,

Kenneth Courter
Acting Chief
FOIA/PA Unit

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Office of Information Policy
U.S. Department of Justice

Director:

FOIPA Request No.

1234287-0

Comes now Thomas J. Savoca pro se, will be known as appellant, This Appeal is from F.B.I decision on FOIA Oct 29 2013.

Brief History Case

Indicted Charleston, WV with co-defendant Carlos Santos, refer to (Indictment true bill Exhibit A.)

Appellant never had opportunity to review Discovery on this case Cr. 203194, or any co-operation statement, activity, of Carlos Santos, F.B.I and U.S Attorney with held vital information from Appellant, knowing it would prove Appellant is not in the Bank Surveillance Video of Robbery.

Appellant filed normal discovery in Federal District Court Charleston, WV, 2010, Brady Violation, and COA, still waiting clerk said judge is considering motion.

Appellant filed normal discovery through the U.S. Attorney Charleston, WV, referred it to the Department of Justice Washington DC. (F.O.I.A) (See Exhibit (B))

Appellant responds with request of Justice Dept. 933-934, was assigned Request No 13-2257 on July 12, 2013, and July 15, 2013 request No 13,2350. Logistic Dept. of Justice Dept. in Washington, DC. Forwarded part to F.B.I on June 24, 2013 (See Exhibit (C)).

On July 22, 2013 Received letter from F.B.I. Stating received FOIA request. and assigned request no 1220739-000 (See Exhibit (D))

Appellant received letter from F.B.I FOIA on Nov. 5. 2013 (See Exhibit (E)) with different referral NO. 1234287-0) refusing to release info Carlos Santos, working with FBI, U.S. Attorney Bank Employees, to fabricate evidence on Appellant to deny Appellant his Constitutional Rights of Due Process, to set him free.

Appellant Response Exhibit F + G + H.

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Conclusion

Appellant Honorably ask for F.O.IA request to be granted this evidence, will give fact to Appellant allegation, and turn them into KNOWN fact, of Violations of Appellant rights of the United States Constitution and Due Process rights, and the outcome would be to release Appellant from this unlawful convictions.

Roth v. U.S. DOJ 2011 App DC 642 F3d 1161. Request were compiled for law enforcement purposes, but its Glomar response was overcome by inmates showing that a reasonable person could believe that the F.B.I was withholding information that could exonerate him.

(See Exhibit ~~(I)~~.)

Respectfully ask this Office of Appeal F.O.IA to grant motion.

THANK YOU. Thomas / Savoca

Date - Nov. 24, 2013 Thomas. J. Savoca

EX 5

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Office of Government Information

Crim case NO 2:03-194.1
So. Dist W.V.

FOIA

Appeal NO. Ap 2014-00808

Request NO 1234287

SRO KRP

Dearsirs,

Interested in obtaining records of a BANK
Robbery: Reports on 26 July 2003 Ripley W.V. - (1) Traders
BANK on Highway 21.

(1) Seeking police report of first responders was
Ripley Police Dept. which secured Bank for FBI.
Need a copy of Ripley Police Report. of employees
and of response to film.

(2) 1 page report taken by FBI Agent Jack
Remally of employees of bank. and indicating any
evidence of film. or description of robbers

Thank You

Thomas J. Sovoca
20970-0008

a/c
Retained

EX5
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Date 12-4-2018



NATIONAL ARCHIVES *and* RECORDS ADMINISTRATION
8601 ADELPHI ROAD - OGIS | COLLEGE PARK, MD 20740-6001
www.archives.gov/ogis | ogis@nara.gov | o: 202.741.5770 | f: 202.741.5769 | t: 877.684.6448

December 18, 2018 – Sent via U.S. mail

Mr. Thomas J. Savoca - Register No. 20970-008
USP Hazleton
United States Penitentiary
P.O. Box 2000
Bruceton Mills, WV 26525

Dear Mr. Savoca:

This responds to December 4, 2018 submission which we received by U.S. mail. Thank you for contacting the Office of Government Information Services (OGIS). Congress created OGIS to serve as the Federal Freedom of Information Act (FOIA) Ombudsman. Our jurisdiction is limited to assisting with the FOIA process.

OGIS:

- Advocates for neither the requester nor the agency, but for the FOIA process to work as intended
- Provides mediation services to help resolve disputes between FOIA requesters and Federal agencies
- Strives to work in conjunction with the existing request and appeal process
- May become involved at any point in the FOIA administrative process

OGIS does not:

- Compel agencies to release document
- Enforce FOIA
- Process or review requests and appeals
- Provide assistance outside the realm of FOIA
- Make determinations or dictate resolutions to disputes
- Serve as a substitute or replacement for the FOIA administrative appeals process

We carefully reviewed your submission. It appears that you seek records concerning "Crim Case 2:03-194-1, Southern District of West Virginia, Charleston." Please know that OGIS does not maintain the records you seek and we do not process FOIA requests or appeals. For that reason, we are unable to provide you with the records you seek.

If you have not done so already, you may wish to submit a FOIA request for records concerning your criminal case to the following:

Federal Bureau of Investigation
Attn: FOI/PA Request
Record/Information Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4843

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